

UNITED STATES PATENT AND TRADEMARK OFFICE

Alexandria, VA. 22313-1450

Alexandria, VA. 22313-1450
If Undeliverable Return In Ten Days

Official Business


Penalty For Private Use, \$300

NO SUCH
MURDER

NO SUCH
NUMBER

AN EQUAL OPPORTUNITY EMPLOYER



UNITED STATES POSTAGE

U.S. OFFICIAL MAIL
 PENALTY FOR
 PRIVATE USE \$300
 REGISTERED MAIL PERMIT NO. 1000
 PITNEY BOWES

02 1A

0004205065
MAILED FEB 01

02 1A \$ 00.370
0004205065 OCT 28 2005
MAILED FROM ZIP CODE 22314

\$00.370



UNITED STATES PATENT AND TRADEMARK OFFICE

DAC
Zhu

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Erickson & Kleypas L.L.C.
80 W. 47th Street
Suite 401
Kansas City, MO 64112

COPY MAILED

OCT 28 2005

OFFICE OF PETITIONS

In re Application of
Robert Henry Francis
Application No. 09/771,799
Filed: January 29, 2001
Attorney Docket No.

DECISION ON
PETITION

This is a decision on the petition under 37 CFR 1.181(a) filed September 6, 2005.

The petition is **granted**.

This application became abandoned for failure to file a timely reply to the final Office action mailed February 1, 2005. The Notice set forth an extendable statutory period for reply of three months from its mailing date. No response was believed to have been received within the allowed period and the application was held abandoned on May 1, 2005. A Notice of Abandonment was mailed August 22, 2005.

Applicant has demonstrated that a timely response to the final Office action was filed. A continuing application 11/173,024 was filed on July 1, 2005, accompanied by an request for an extension of time within the second month. Thus, a timely response to the final Office action was filed and the holding of abandonment was improper. The holding of abandonment is withdrawn, accordingly.

The application file is being forwarded to Technology Center 2100, GAU 2121 for further processing.

Telephone inquiries concerning this decision may be directed to the undersigned, at (571) 272-3222.

Kenya A. McLaughlin

Kenya A. McLaughlin
Petitions Attorney
Office of Petitions

RECEIVED
OIPE/IAP

NOV 07 2005